BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants:	**MADAR, Piero Andreas, et al.**
Serial Number:	**10/580,997**
Atty. Dkt:	**PU030323**
Filing Date:	**May 26, 2006**
For:	**METHOD AND APPARATUS FOR RESTRICTING PLAYBACK OF RECORDED DIGITAL SIGNALS**
Art Unit:	**2431**
Examiner:	**VAUGHAN, Michael R.**

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Examiner's Answer dated November 25, 2011, Appellant hereby submits a Reply Brief in accordance with 37 C.F.R. §41.41 for the above-referenced application.

<u>**Response to Examiner's Answer**</u>

In response to the Examiner's Answer dated November 25, 2011, Appellant maintains that claims 1-20 under 35 U.S.C. §103(a) is patentable over Japanese Patent Publication No. 2003-132624 by Tsurui (hereinafter, "Tsurui") in view of U.S. Patent Publication No. 2002/0146238 by Sugahara (hereinafter, "Sugahara"), and further in view of U.S. Patent No. 6,469,718 issued to Setogawa et al. (hereinafter, "Setagawa").

Appellant's comments below are in response to Section 10, Response to Argument, in the Examiner's Answer.

A. TWO LINKED PROGRAM CHAINS CANNOT BE CALLED A SINGLE PROGRAM CHAIN BECAUSE THE INTERPRETATION CONTRADICTS THE DEFINITION PROVIDED IN THE SPECIFICATION

The Examiner admits that Tsurui does not disclose or suggest that <u>(i) a user-selected recording title, (ii) a user-assigned password for protecting the user-selected recording title and (iii) a password menu screen which prompts the user to input the user-assigned password if playback of the user-selected recording title is attempted, are **all** stored on a digital storage medium in a **single** program chain according to DVD specifications</u>, as recited in claim 1. However, the Examiner states that in playing back the a recording title in PGC#10, the password menu in PGC#1-5 in Figure 5b must be invoked. Since all PGCs are invoked, the Examiner argues that it can arguably be interpreted as a single program chain. Appellant disagrees.

First, as admitted by the Examiner, the present application presents two alternatives: single program chain or separate program chains (see Examiner's Answer, page 10, the first full paragraph). In the separate program chain approach, one program chain must be linked to another program chain. See, for example, page 11, lines 27-31 or the present application. As such, two linked program chains cannot be called a single program chain at least in light of the present application.

Second, as well known in the art, to play back the program title in PGC#10 in Figure 5b in Tsurui, the VMG (Video Manager) must invoke PGC#1 in Figure 5b, which invokes PGC#2, which invokes PGC#3, which invokes PGC#4, which invokes PGC#5, which invokes PGC#10. See paragraphs [0037], [0042], and [0047]. As well known in the art, each DVD has a VMG for control playback of the videos. Under the DVD standard, the VMG is not a program chain and cannot be called a program chain, as alleged in the Examiner's Answer.

B. TSURUI DOES NOT DISCLOSE OR SUGGEST THAT PASSWORD AND PASSWORD MENU ARE STORED IN A SINGLE PROGRAM CHAIN BECAUSE FIVE PROGRAM CHAINS ARE USED FOR THE PASSWORD MENU IN TSURUI

On page 23 of the Examiner's Answer, the Examiner states that Tsurui at paragraph [0037] discloses that the password and the password menu are stored in a single program chain. Appellant disagrees. The password menu referred to in paragraph [0037] is shown in Figure 3. As clearly stated in paragraph [0042], the password menu is incorporated in PGC#1-5 as shown in Figure 5. There are a total of five program chains involved. As such, the password menu and the password cannot be in a signal chain.

Furthermore, the password referred to in paragraph [0037] is the second password, which must be compared to the stored password (the first password) to allow or deny the playback of a recording title. See paragraph s [0042]-[0046], and Figure 6 and the associated description. However, Tsurui does not disclose or suggest that the first password (the stored password) is stored in the same program chain as the password menu. In fact, since all five PGC#1-5 must all be invoked before the second password can be compared to the stored password, Tsurui cannot disclose or suggest that the first password (the stored password) is stored in any of the five PGCs for the password menu.

Since Tsurui does not disclose or suggest that password and the password menu are in the same program chain, the combination of Tsurui and Sugahara will not arrive at claim 1, as alleged in the Examiner's Answer.

C. TSURUI TEACHES AWAY FROM TSURUI BECAUSE TSURUI DISCLOSES THAT FIVE PROGRAM CHAINS ARE USED FOR THE PASSWORD MENU

As pointed out above, five program chains, PGC#1-5, are involved for the password menu. Furthermore, the recording title is stored in a separate program chain, PGC#10. As such, Tsurui completely teaches away from having password, password menu, and recording title to be in a single program chain.

In view of the foregoing arguments and remarks, Appellant respectfully requests the Board to reverse the rejections under 35 U.S.C. § 103(a).

Respectfully submitted,

Date: 1/19/12

/Reitseng Lin/
By: Reitseng Lin
Reg. No. 42,804
Phone (609) 734-6813

Patent Operations
Thomson Licensing LLC
P.O. Box 5312
Princeton, New Jersey 08540